

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION**

**ERIC PRESCOTT KAY**

*Movant*

v.

**UNITED STATES OF AMERICA**

*Respondent*

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**NO. 4:25-CV-132-Y**

**MOVANT’S UNOPPOSED MOTION FOR  
EXTENSION OF TIME TO FILE REPLY**

To the Honorable Court:

Movant Eric Prescott Kay respectfully moves for a thirty-day extension, until September 8, 2025, to file his reply to the government’s response to his motion under 28 U.S.C. § 2255. Mr. Kay requests this extension because since the government filed its response, both undersigned counsel had pre-planned family vacations. Additionally, undersigned counsel David Gerger appeared before the Western District of Texas and had pre-existing commitments to appear professionally in Dallas, Texas, and Washington, D.C. Further, undersigned counsel Brett Ordiway prepared and filed an application for a writ of habeas corpus in *Ex parte Alvarez*, No. W012674 (297th Dist. Ct.).

The government is unopposed to this motion.

Respectfully submitted,

/s/ Brett Ordiway

BRETT ORDIWAY

Texas Bar No. 24079086

brett@ordiway.com

ORDIWAY PLLC

8350 N. Central Expy. Ste. 1900

Dallas, Texas 75206

469.205.1600

/s/ David Gerger  
DAVID GERGER  
Texas Bar No. 07816360  
dgerger@ghmfirm.com

POORAV ROHATGI  
Texas Bar No. 24093063  
prohatgi@ghmfirm.com

GERGER HENNESSY MARTIN &  
PETERSON LLP  
700 Louisiana, Suite 2300  
Houston, Texas 77002  
713.224.4400

**CERTIFICATE OF CONFERENCE**

I certify that I conferred with Assistant United States Attorney Jonathan Bradshaw on July 28, 2025, and he stated that the United States of America is unopposed to this motion.

/s/ Brett Ordiway  
BRETT ORDIWAY

**CERTIFICATE OF SERVICE**

I certify that on July 31, 2025, I electronically filed this motion with the clerk of court for the U.S. District Court, Northern District of Texas, using the electronic case filing system of the Court. The electronic case filing system sent a “Notice of Electronic Filing” to Respondent’s lead counsel, Jonathan Bradshaw, who has consented in writing to accept this notice as service of this document by electronic means.

/s/ Brett Ordiway  
BRETT ORDIWAY